

The Face of Arizona's Judiciary: Is it Changing?

By Mary Beth Phillips, Esq., President, AWLA Maricopa Chapter



Mary Beth Phillips

Arizona's merit selection commissions have been busy over the past few years. For anyone unfamiliar with Arizona's judicial selection process, applicants for Maricopa County Superior Court Judge positions submit applications to the Maricopa County Commission on Trial Court Appointments. This commission is comprised of 10 lay members and 5 attorney members and is balanced by party affiliation and geographic area. The commission then interviews applicants and from those interviewed selects individuals to nominate for appointment to the Governor. The Governor appoints a nominee from the list provided by the commission. Applications for the Arizona Court of Appeals and the Arizona Supreme Court are submitted to the Arizona Commission on Appellate Court Appointments. This commission similarly is comprised of a balanced selection of 10 lay members and 5 attorney

members, and it follows the same selection process.

The current Chief Justice of the Arizona Supreme Court is the 16th voting member of both commissions, although in recent years the Chief Justice has delegated responsibility for overseeing the Trial Court Commission to the Vice Chief Justice. All meetings of both commissions are open to the public. Applications as well as information on the composition of both commissions and their rules, current vacancies, and recent appointments is available online at www.supreme.state.az.us/hr/vacant.htm.

AWLA has tracked the changes in Arizona's judiciary for many years. Charts accompanying this article show (1) an overview of all appointments by Governor since 1975, highlighting the number of women appointed by each Governor; and (2) the number of women in Arizona's various courts in 1991, 1999 and 2003.

A quick review of these charts shows that women once made up 18% of Arizona's judges chosen through the merit selection process. Now, 28% of sitting judges chosen through the merit selection process are women. This indicates some progress, but not enough. Why the disparity?

One reason is that women traditionally do not apply in the same numbers that men do for judicial openings. As chair of AWLA-Maricopa's Judicial Appointments Committee for several years, I monitored the applicants for each vacancy on the Maricopa County Superior Court and the Appellate Courts and the interviews of those selected by the commissions. Both commissions work very hard, devoting hours upon hours to reviewing applications, conducting due diligence investigations, and agreeing on a balanced list of nominees to propose to the Governor. Based on my observations, I believe both commissions are open to nominating women applicants. They can only nominate individuals who apply, though.

I encourage those of you who have considered applying for judicial vacancies to do so and to take advantage of the resources AWLA makes available to its members interested in applying. The Judicial Appointments Committee holds a seminar each year to educate potential applicants about the commissions and their process. Members of both commissions give their time to speak and answer questions. Attendees receive lists of questions historically asked by the commissions and pointers on preparing their application and preparing for their interview. In addition to hosting this seminar each year, members of the Judicial Appointments Committee attend all meetings of the commissions and take notes on the comments made. They are happy to share this feedback with AWLA members who are interested. I invite you to contact our current committee chair, Lori Higuera (lhiguera@fclaw.com) for additional information (In Southern Arizona, the committee chair is Anne Graham-Bergin). By encouraging and assisting qualified women to apply for judicial vacancies, AWLA would like to help the face of Arizona's judiciary continue to evolve.

Editor's Note: This article first appeared in the AWLA, Maricopa Chapter, August 2003 newsletter and is reprinted here with permission of the author.

**APPOINTMENTS OF WOMEN JUDGES IN ARIZONA
STATE COURTS UNDER MERIT SELECTION**

**OVERVIEW OF ALL APPOINTMENTS- BY GOVERNOR
1975 - July 22, 2003**

<i>GOVERNOR</i>	<i>SUPREME COURT</i>	<i>APPEALS COURT DIVISION ONE</i>	<i>APPEALS COURT DIVISION TWO</i>	<i>SUPERIOR COURT MARICOPA</i>	<i>SUPERIOR COURT PIMA</i>	<i>TOTAL</i>
<i>Raoul Castro</i> 1/6/75 - 10/20/77	0 of 1 0%	1 of 1 100%	No Appointments	0 of 6 0%	No Appointments	1 of 8 13%
<i>Wesley Bolin</i> 10/20/77-3/4/78	No Appointments	No Appointments	No Appointments	0 of 2 0%	No Appointments	0 of 2 0%
<i>Bruce Babbitt</i> 1976-1986	0 of 1 0%	2 of 10 20%	0 of 5 0%	7 of 42 17%	3 of 11 27%	12 of 69 17%
<i>Evan Mecham</i> 1/5/87-4/4/88	0 of 1 0%	No Appointments	No Appointments	0 of 4 0%	0 of 1 0%	0 of 6 0%
<i>Rose Mofford</i> 4/4/88-3/6/91	0 of 1 0%	2 of 7 29%	No Appointments	4 of 18 22%	1 of 3 33%	7 of 29 24%
<i>Fife Symington</i> 3/6/91-9/5/97	0 of 3 0%	0 of 8 0%	1 of 6 17%	5 of 21 24%	3 of 16 19%	9 of 54 17%
<i>Jane Hull</i> 9/5/97-01/06/03	2 of 3 66%	2 of 9 22%	No Appointments	16 of 43 37%	3 of 12 25%	23 of 67 34%
<i>Janet Napolitano</i> 01/06/03 - present	0 of 1 0%	0 of 2 0%	0 of 1 0%	1 of 4 25%	No Appointments Yet	1 of 8 13%
<i>Total</i> 1975 to 07/22/03	2 of 11 18%	7 of 37 19%	1 of 12 8%	33 of 140 24%	10 of 43 23%	53 of 243 22%

WOMEN IN ARIZONA'S JUDICIARY						
	January 1, 1991		February 1, 1999		July 21, 2003	
All Arizona Courts (Federal and State)	23 of 167	14%	36 of 197	18%	59 of 231	25%
ARIZONA'S MERIT SELECTION COURTS						
Supreme Court	0 of 5	0%	1 of 5	20%	2 of 5	40%
Court of Appeals, Division 1	3 of 15	20%	3 of 16	19%	2 of 15	13%
Court of Appeals, Division 2	0 of 6	0%	1 of 6	17%	1 of 6	16%
Maricopa County Superior Court	11 of 62	18%	13 of 71	18%	27 of 90	30%
Pima County Superior Court	6 of 23	26%	7 of 27	26%	9 of 31	29%
Total Merit Selection Courts	20 of 111	18%	25 of 125	20%	41 of 147	28%
OTHER ARIZONA COURTS (Federal and State)						
Superior Courts, outside Pima and Maricopa Counties	0 of 31	0%	5 of 39	13%	7 of 44	16%
9th Circuit Court of Appeals	1 of 4	25%	1 of 4	25%	1 of 4	25%
Federal District Court	0 of 11	0%	1 of 13	8%	4 of 17	24%
Federal Magistrates	1 of 4	25%	3 of 9	33%	4 of 12	33%
Federal Bankruptcy Court	1 of 6	17%	1 of 7	14%	2 of 7	29%
Total Other Courts	3 of 56	5%	11 of 72	15%	18 of 84	21%

OCTOBER LUNCHEON

DATE: MONDAY, OCTOBER 20, 2003

TIME: 12:00 o'clock, Noon

PLACE: The Arizona Inn, 2200 East Elm Street (The Tucson Room)

COST: \$15 Members

\$20 Non-Members

\$8 Students

RSVP: Call **Julia Connors** at 740-2726 no later than 4:00 p.m., **Thursday, October 16**, or e-mail by the same deadline to azawla@yahoo.com. Please indicate your menu choice:

- Hot Linguini Primavera with Grilled Chicken, crowned with an assortment of Fresh Vegetables Served Hot with a Light Lemon Garlic Sauce and Parmesan Cheese

-OR-

- Hot Linguini Primavera, crowned with an assortment of Fresh Vegetables Served Hot with a Light Lemon Garlic Sauce and Parmesan Cheese

SPEAKER: KERI MORALES, FEDERAL BUREAU OF INVESTIGATION

Keri Morales is a former attorney who is now an agent with the Federal Bureau of Investigation. Ms. Morales is an attorney on inactive status in Texas and New Mexico. She practiced in both states from 1990-1996 before joining the FBI. Ms. Morales will talk about the road that led her from lawyer to agent and tell us a little about her work with the Bureau. Specifically, Ms. Morales will talk about internet crime and internet safety. Children are especially at risk, and Ms. Morales will provide information on safeguarding against internet predators.

Please remember to RSVP. ☺

CANCELLATION POLICY

Luncheon costs have risen significantly since AWLA began meeting regularly at the Arizona Inn. Overall, our members have responded favorably to the higher quality of service and food the Arizona Inn provides. However, because of the increased luncheon costs, we must once again enforce our cancellation policy. All reservations must be made or cancelled no later than the Thursday prior to the luncheon. If you make a reservation and are unable to attend, AWLA is still billed for your meal and therefore expects payment for the cost of the luncheon if the reservation is not timely cancelled. If you must cancel at the last moment, please try to make arrangements for someone to take your seat to avoid being billed for the cost of the lunch. Thank you for your cooperation with this policy.

PRESIDENT'S MESSAGE

Dear Members,

2003 will prove to be a watershed year in the advancement of the AWLA. This year, AWLA hired an Executive Director to manage the ever-increasing administrative burden associated with a large statewide organization. Statewide membership has grown to over 800, concentrated in three chapters. 2003 also saw the formation of the Cochise County Chapter, the launch of a statewide website and the creation of a statewide email list serv. The website and expanded use of email to communicate with our membership greatly enhances the speed with which important information can be passed on to members.

The Executive Director is employed by the State but performs significant duties for all chapters, including managing membership information, managing the state and chapter websites, and coordinating annual events such as the Mary Anne Richey Scholarship Breakfast and the Annual AWLA Convention. In the short time we have been privileged to have Pat Lewis as ED, our infrastructure and administration has been greatly improved, freeing up our volunteer members' time and energy to work on projects that advance important AWLA interests. Unfortunately, Pat recently accepted a position with the State Bar of Arizona. Although she very much enjoyed working with AWLA, it became apparent early on that AWLA lacked the resources to ensure continued employment beyond the first year. A search for a replacement is underway (see the ad elsewhere in this newsletter). More importantly, however, this experience caused the State Board of Directors to consider a change in the dues structure to ensure that sufficient funds are available both now and in the future to fund our projects as well as the ED position.

As a result, at its September meeting, the Board voted unanimously to raise dues for some members for the first time in our organization's history. The dues structure, beginning 2004, follows:

Sustaining members	\$100
Private lawyers	\$75
Private lawyers earning less than \$50K/yr	\$50
Public lawyers	\$50
Law Students	\$10

As you can see, the increase in dues affects primarily private attorneys. The Board recognized there is great disparity among salaries for private practitioners, which led to the creation of the second category for private lawyers, leaving dues at the current \$50 level for those earning less than \$50,000. No financial information is required; simply self-select the appropriate dues level on your 2004 renewal form. Sustaining members will continue to receive special recognition in the directory and at AWLA events.

The Board also voted to change the dues split percentage between the State and the local chapters from 25% to the State to 40% to the State. This change in the dues split compensates for the tasks consolidated at the state level that the chapters no longer need to undertake. Each of the chapter steering committees reviewed this proposed change and confirmed there will be sufficient resources at the chapter level to continue delivering the services members in each chapter are accustomed to receiving.

We hope the change in our dues structure will not create hardships for our members. AWLA's strength lies in the dedication of our membership. Many of you have served on steering committees and state boards since our founding. We hope you agree that the hiring of an Executive Director boosts both the strength and vitality of our organization, and we look forward to working with you for the advancement of women in the profession for many years to come.

Sincerely,

Anne Graham-Bergin
President, AWLA State Board of Directors

Habitat for Humanity Project Off to a Good Start

Following an email message to our membership, the AWLA Southern Arizona chapter has already collected \$565 for the Habitat for Humanity house to which the Pima County Bar has committed to build. PCBA reports they are approximately \$10,000 into the \$58,000 they need to raise, thanks in part to us!

For those of you who missed the email, PCBA is building one of a group of Habitat homes where ground was broken on Sept 11, 2003. AWLA's Southern Arizona chapter (that's us) has decided to join that effort, collecting contributions from our members & submitting them in the name of AWLA. We also will be scheduling an AWLA work day, inviting members of the U of A's Law Women's Association to join us. This is a fun and worthy undertaking.

Ronna Fickbohm is collecting checks & delivering them in groups to Carole Summers, who is the PCBA coordinator. Mail or deliver your contribution to Ronna at Gabroy, Rollman & Bossé, P.C., 3507 N. Campbell Ave., Ste 111; Tucson, AZ 85719. Or catch Ronna at the October 20 luncheon at The Arizona Inn.

Ronna is also soliciting feedback from you regarding your preference for our work day. You can email her with your preference at fickbohm@gabroylaw.com. The general phases are construction, painting and landscaping. You can note any special skills you have, but none are required. People to clean up, make refreshment runs or just take directions are always needed. Thus far, the membership's response has been higher in the painting & landscaping categories. Carole Summers reports these phases will probably not occur until at least February and will depend upon the rest of the pace of construction.

Thanks to those of you who have already contributed in AWLA's name: **Elizabeth Upham, Hon. Jan Flores, Meredith Little, Jo Zingg, Paula Nailon, Nikki Chayet and Ronna Fickbohm**. If any of you gave PCBA a check which was supposed to be credited to our fund raising and your name is not listed here, please let Ronna know and she will get your check added in to our total.

AWLA State Convention 2003

"Success in the New Millennium"

Friday, November 7, 2003, 6:00 p.m. to 8:00 p.m.

Hosted Reception at the home of Tamara D. Brooks-Primera, Esq.

Saturday, November 8, 2003, 8:00 a.m. to 1:30 p.m.

Fiesta Inn, 2100 South Priest Drive in Tempe

Sessions include a Keynote Speaker (TBA)

Successful Imaging by Linda Russell, Nordstrom Personal Wardrobe Consultant

Successful Rainmaking for Women by Theda C. Snyder, Esq., Author

Choice of Panels: Successfully Attaining the Bench or

Successful Transitions to Alternative Legal Careers

Contact Paige Martin at paige.martin@sackstierney.com

Web-Savvy Volunteers Needed!

By Pat Lewis, AWLA Executive Director

AWLA Southern Arizona and AWLA Cochise County now have websites on the Internet. Terrific! But, the sites are floating on the ether, waiting for the wind to carry them forward. The sites have the necessary architecture – that was easy because the framework was duplicated from AWLA Maricopa’s accomplished website. They also contain already contain archived newsletters and an easily-accessible membership renewal form. Now we need someone from Southern AZ and Cochise to add life to the sites – the wind that will carry our floating websites forward and make them the dynamic resources they are intended to be.



We’re searching for a task-oriented volunteer (web savvy but not necessarily a techno wiz) to work with our webmaster – Frank Bohac of Bohac Consulting Services – and help make our sites fly. Frank is a cyclist first and a low-key, yet extremely capable web entrepreneur. He is not a techie who speaks a different language or talks down to his customers. Bottom line, he’s extremely easy to work with and is dedicated to solving problems and to making our websites work

for AWLA and the members it serves.

This is a short-term volunteer opportunity for one or more of you to gather information for AWLA’s websites and make these valuable resources flourish. You will not be responsible for maintaining them once they are filled with relevant data.

If you’re curious, please go to AWLA Maricopa’s website at www.awla-maricopa.org, where you’ll see the type of “news you can use” members retrieve daily from a viable, dynamic website. If you’re still interested, send an email to Kristine Fox at Kristine_Fox@azd.uscourts.gov, and she’ll get you started. The work is not complicated, it just requires a little elbow grease and your commitment to get the job done. With your help, our website will be a vibrant, up-to-date resource for members to find job announcements, judicial appointment information, luncheon schedules and menus, as well as current news announcements. We invite your comments and suggestions for content to add to the website and look forward to having it “be all it can be” by the end of the year.

Newsletter Now Delivered Via the Web

Starting this month, the Southern Arizona newsletter is being sent to our members via a link to the new website. Here’s how it works:

(1) You’ll receive an email via the new Southern Arizona and Cochise list serv. Rather than receiving the newsletter as a separate attachment (which are often large and fill up an in-box), the email will contain a link to the chapter’s website.

(2) By clicking on the link, you’ll be taken to the current newsletter, which, as in the past, is still viewed as an Adobe Acrobat document.

(3) You can save the newsletter on your computer for viewing later; you can print it out; and you can save the link in your “Favorites” or as a bookmark (the link will not change—it will be the same every month).

After each newsletter is published, the prior month’s newsletter (and many other archived newsletters) can be accessed on the website by going to www.awla-southernaz.org, clicking on “Newsletters” and clicking on “click here” under “View Archives.”

PROFESSIONAL VOLUNTEER OPPORTUNITIES

The State Bar Appointments Committee is currently accepting applications from **active members in good standing** to fill the following upcoming vacancies. Application forms are due at the State Bar office by the date indicated, and can be obtained by calling Carrie Sherman at the Arizona Bar Center at (602) 340-7201 or Suzanne Pease at the Bar's Tucson office at (520) 623-9944. An application can also be downloaded from the Bar's website – www.azbar.org -- refer to *Appointments Committee News*.

Conflict Case Committee **Application Deadline - Monday, November 3, 2003**

Purpose: Committee members timely process, investigate and prosecute all aspects of disciplinary cases involving a member of the State Bar's Board of Governors, State Bar staff, a Supreme Court Disciplinary Hearing Officer or a member of the Court's Disciplinary Commission. Although the committee consists of nine members, each member works independently on the matter(s) to which he/she is assigned.

Openings: Two. Fill the unexpired terms of Cari Dangerfield (Pima County) and Patricia Nigro (Maricopa County).

Restrictions/Requirements: Open to active and judicial members in good standing. Female attorneys and members from Pima County will add diversity to the committee. Former members of the Board of Governors, Supreme Court Disciplinary Hearing Officer panel and Disciplinary Commission shall be eligible for appointment only after a four-year absence from the Board, Court position or Commission. Newly appointed committee members attend an orientation/training session.

Arizona Commission on Judicial Performance Review **Application Deadline – Monday, December 1, 2003**

Purpose: To administer a system of periodic review of the performance of each justice and judge subject to merit selection and retention; to provide carefully compiled information for voters at the time of the retention elections; to facilitate self-improvement of the reviewed judges; to promote appropriate judicial assignments and to assist in identifying needed judicial education programs; to protect judicial independence while fostering public accountability of judges. For additional information, go to www.supreme.state.az.us/jpr.

Openings: Five; three from Maricopa County and two from Pima County. Current Commissioners Carl Piccarreta (Pima County), Christopher Skelly and Roberta Voss (both from Maricopa County), originally appointed to fill unexpired terms, are eligible for reappointment to full four-year terms.

Restrictions/Requirements: Open to active members in good standing from Maricopa and Pima Counties. The commission meets approximately six times per year and some of these meetings are held in Casa Grande. Travel expenses are reimbursed.

Term: Four years.

PART-TIME ADMINISTRATOR OPENING

The Arizona Women Lawyers Association is seeking a Part-time Administrator who is dynamic, efficient and organized; someone who knows how to communicate well, prioritize tasks, and work independently. AWLA is one of the largest non-profit specialty bar associations in the state with approximately 750 members.

Duties: The Administrator's responsibilities include clerical duties, administrative services, website maintenance, light bookkeeping, and preparation of State Board meeting agendas and financial statements. Additional duties include maintaining a computerized statewide database of membership information, assistance with the annual membership campaign, fundraising and event planning. The Administrator works with both the State Board of Directors and AWLA's individual chapters.

Desired Qualifications: Strong computer/word processing skills are required, in addition to excellent organizational and communication skills. Specific programs include Word, Excel, and Quickbooks. Established home office preferred; phone, fax and internet costs reimbursed.

Resume Review Date: Applications must be submitted by October 31, 2003.

Compensation: \$16.00 per hour/\$16,640 annual. No health or other benefits presently but there is an opportunity for growth and increased salary with benefits in the future. Average 20 hours per week, but fluctuates depending on events and membership drive.

For additional information, please contact Kristine Fox at (520) 205-4263 or Mary Beth Phillips at (602) 514-7526. To apply, send a letter of interest and resume to Arizona Women Lawyers Association, P. O. Box 2525, Tucson, AZ 85702.

MARK YOUR CALENDARS!

October 16	Steering Committee Meeting at Gust Rosenfeld, One S. Church Ave, Suite 1900 (Noon)
October 20	Luncheon at the Arizona Inn (Noon)
November 13	Steering Committee Meeting at Gabroy, Rollman & Bossé, 3507 N. Campbell Ave., Suite 111 (Noon)
November 17	Luncheon at the Arizona Inn (Noon)
November 7-8	AWLA Annual Convention, Fiesta Inn, Tempe
April 1, 2004	Women's Foundation of Southern Arizona 11th Annual Luncheon at the TCC; Tables of 10 are \$450 and Individuals are \$45; All paid tables and individuals received by October 31, 2003 will be placed in the first three rows on a first come, first served basis. Call 795-5088 for more information.

2003 SOUTHERN ARIZONA AWLA OFFICERS

President:	Julia Connors	740-2726	jconnors@sc.co.pima.az.us
President-Elect:	Ronna Fickbohm	320-1300	fickbohm@gabroylaw.com,
Vice President:	Veronique Pardee	740-5367	vpardee@ids.co.pima.az.us
Secretary:	Marie Martinez	(520) 375-7782	mmartinez@co.santa-cruz.az.us
Treasurer:	Kathy Brauer	740-4220	kbrauer@sc.co.pima.az.us

Steering Committee Members:

Lisa Ilka Abrams	325-4200	labrams@khaw-law.com
Hon. Nikki Chayet	791-3260	nchayet1@mail.ci.tucson.az.us
Amelia Craig Cramer	740-5750	aamcramer@msn.com
Hon. Jan Flórez	628-6949	florez@apltwo.ct.state.az.us
Kristine Fox	205-4263	kristine_fox@azd.uscourts.gov
Anne Graham-Bergin	577-1544	agraham@bass-associates.com
Pat Green	745-7831	pag@wechv.com
Sandra Hansen	620-7300	sandra.hansen@usdoj.gov
Wanda Hofmann	628-6044	wendy.hofmann@ag.state.az.us
Jacquelyn Kasper	626-7139	jacquelyn.kasper@law.arizona.edu
Megan Miller	325-7500	miller@moelawyers.com
Angela Moore	318-0001	angela.moore@azbar.org
Paula Nailon	626-6107	nailon@law.arizona.edu
Caroline Pinkney-Baird	318-9376	caroline@pinkneybaird.com
Carrie Rednour	790-4061	carrierednour@earthlink.net
Traci Riccietello	792-3836	triccietello@hmpmlaw.com
Merle Turchik	791-4221	mturchi1@ci.tucson.az.us
Ida Wilber	740-5600	iwilber@mail.pcao.co.pima.az.us
Jill Winans	628-7070	jdwinans@gustlaw.com
Jo Zingg	323-8188	jzingg@zingglaw.com

AWLA

**Post Office Box 2525
Tucson, AZ 85702**

Forwarding and Return Postage Guaranteed
Address Correction Requested